

Message Text

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ACTION EUR-12

INFO OCT-01 IO-10 ISO-00 ERDA-05 CIAE-00 H-02 INR-07 L-02

NSAE-00 OIC-02 OMB-01 PA-01 PM-03 PRS-01 SAJ-01

SAM-01 SP-02 SS-15 USIA-06 TRSE-00 DODE-00 NSC-05

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FM USMISSION GENEVA

TO SECSTATE WASHDC 2372

INFO AMEMBASSY MOSCOW

USMISSION NATO BRUSSELS

C O N F I D E N T I A L GENEVA 2914

EO 11652: GDS

TAGS: CSCE, PFOR, XG

SUBJ: CSCE POLICY: INFORMATION -- WORKING CONDITIONS FOR JOURNALISTS

REF: (A) STATE 57247; (B) GENEVA 1557 (NOTAL) (C) GENEVA 1913;
(D) GENEVA 2530

1. THIS CABLE SETS FORTH PARAS 6 THROUGH 9 OF A NEW UK TEXT
ON WORKING CONDITIONS FOR JOURNALISTS, WITH USDEL COMMENTS
ON NEW OR REVISED FORMULATIONS.

2. UK PRESENTED NEW TEXT ON WORKING CONDITIONS FOR JOURNALISTS
TO NATO CAUCUS APRIL 22. PARAS 1 THROUGH 4 IN UK TEXT ARE
AS "MENTALLY" REGISTERED, AND TEXT OF PARA 5, WHICH IS
CURRENTLY UNDER NEGOTIATION, IS SUBSTANTIALLY THE SAME AS
REPORTED REFTTEL D. PARAS 6 THROUGH 9, WITH ANNEX ON
TECHNICAL STAFF, ARE AS FOLLOWS: BEGIN TEXT:

(6) -- INCREASE THE OPPORTUNITIES FOR JOURNALISTS OF THE
PARTICIPATING STATES TO COMMUNICATE PERSONALLY WITH THEIR
SOURCES AND IN PARTICULAR WITH ORGANISATIONS AND OFFICIAL
INSTITUTIONS;

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(7) --GRANT TO JOURNALISTS OF THE PARTICIPATING STATES

THE RIGHT TO IMPORT, WITHOUT RESTRICTION, SUBJECT TO ITS BEING TAKEN OUT AGAIN, THE TECHNICAL EQUIPMENT (PHOTOGRAPHIC, CINEMATOGRAPHIC, TAPE RECORDER, RADIO AND TELEVISION) NECESSARY FOR THE EXERCISE OF THEIR PROFESSION;

(8) --ENABLE JOURNALISTS OF THE OTHER PARTICIPATING STATES, WHETHER PERMANENTLY OR TEMPORARILY ACCREDITED, TO TRANSMIT COMPLETELY AND RAPIDLY BY MEANS RECOGNIZED BY THE PARTICIPATING STATES AND TO THE INFORMATION ORGANS WHICH THEY REPRESENT, THE RESULTS OF THEIR PROFESSIONAL ACTIVITY, INCLUDING TAPE RECORDINGS AND UNDEVELOPED FILM, FOR THE PURPOSE OF PUBLICATION OR OF BROADCASTING ON THE RADIO OR TELEVISION.

(9) --THE PARTICIPATING STATES REAFFIRM THAT THE LEGITIMATE PURSUIT OF THEIR PROFESSIONAL ACTIVITY SHALL NOT RENDER JOURNALISTS, OR THEIR TECHNICAL STAFF, LIABLE

TO EXPULSION, AND THAT IF THEREFORE AN ACCREDITED JOURNALIST OR MEMBER OF HIS TECHNICAL STAFF IS EXPELLED, HE HAS THE RIGHT TO BE INFORMED OF THE REASONS FOR THIS ACT AND TO SUBMIT AN APPLICATION FOR RE-EXAMINATION OF HIS CASE.

ANNEX

--POSSIBLE WAYS OF DEALING WITH 'TECHNICAL STAFF' ISSUE:

A. (FOR USE IF TERM "TECHNICAL STAFF" IS INCLUDED IN TEXT) BY TECHNICAL STAFF ARE MEANT THOSE ANCILLARY TECHNICIANS WHOSE PRESENCE IS AGREED TO BE ESSENTIAL TO THE CARRYING OUT BY ANY JOURNALIST OR TEAM OF JOURNALISTS OF HIS OR THEIR PROFESSIONAL ACTIVITY.

B. (FOR USE IF TERM "TECHNICAL STAFF" IS NOT REPEAT NOT INCLUDED IN TEXT) THE PARTICIPATING STATES UNDERSTAND THE WORD "JOURNALISTS" TO COVER PERSONS WHO ARE REGULARLY AND PROFESSIONALLY ENGAGED AS REPORTERS, PHOTOGRAPHERS, CAMERA MEN OR TECHNICIANS OF THE PRESS, RADIO, TELEVISION OR CINEMA IN ANY PARTICIPATING STATE. END TEXT.

3. BRITISH EMPHASIZED THAT THIS TEXT WOULD NOT BE USED
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IN NEGOTIATIONS WITH THE EAST NOW, BUT WOULD SERVE AS A FOCUS FOR ALLIED DISCUSSION. OUR COMMENTS ARE AS FOLLOWS:

--PARA 6: ON OFFICIAL CONTACTS, WE SHOULD PREFER TO CONTINUE TO SUPPORT LANGUAGE ALONG THE LINES "FACILITATE ACCESS TO THEIR OFFICIALS." HOWEVER, UK REP HAS TAKEN VIEW THAT SUCH LANGUAGE MAY BE UNDESIRABLE, SINCE IT WOULD PERMIT JOURNALISTS TO CLAIM THE RIGHT TO PERSONAL

INTERVIEWS WITH HIGH LEVEL OFFICIALS OF THEIR CHOOSING.
WE CONTINUE TO BELIEVE AS STATED REFTEL C THAT CONTACT
WITH INDIVIDUALS ISSUE SHOULD BE KEPT ALIVE AT LEAST
AS A POTENTIAL TRADE-OFF ITEM.

-- PARA 7: NO PROBLEM, PROVIDED TECHNICAL STAFF IS
ADEQUATELY COVERED.

--PARA 8: NO PROBLEM.

--PARA 9: WE BELIEVE THIS TEXT IS A SUFFICIENT IMPROVE-
MENT OVER THE SWISS TEXT TO WARRANT CONSIDERATION
AS A FALL BACK POSITION SHOULD EFFORTS TO ACHIEVE AN
UNQUALIFIED EXPLUSION TEXT FAIL.

--TECHNICAL STAFF: OUR PREFERENCE WOULD BE TO INCLUDE
"TECHNICAL STAFF" IN APPROPRIATE OPERATIVE PARA-
GRAPHS, AND TO AVOID DEFINITION OF THE TERM TO MINIMIZE
THE RISK OF RESTRICTIVE INTERPRETATION.

FROM VARIOUS HINTS SOVIETS HAVE GIVEN, HOWEVER, WE HAVE
CONCLUDED THAT SOME DEFINITION OF THE TERM MAY BE RE-
QUIRED IN ORDER TO OBTAIN SOVIET AGREEMENT. IF DEFINITION
IS UNAVOIDABLE, WE WOULD PREFER ALTERNATIVE B, SINCE IT
WOULD AVOID PROBLEM OF INTERPRETING THE "AGREED TO BE
ESSENTIAL" LANGUAGE OF ALTERNATIVE A. WE ALSO THINK
THIS ALTERNATIVE WOULD BE MORE PALATABLE TO THE SOVIETS,
BECAUSE IT WOULD AVOID MENTION OF "TECHNICAL STAFF"
IN TEXT, AND MIGHT CONFORM MORE CLOSELY TO ACTUAL SOVIET
PRACTICE (SOVIETS HAVE TOLD US PRIVATELY THAT TECHNICAL
STAFF ENTERING THE SOVIET UNION ARE OFTEN CALLED JOURN-
ALISTS BY THEIR SPONSORING ORGANIZATIONS, AND THAT
SOVIETS USUALLY TURN A BLIND EYE ON THIS PRACTICE).

4. WOULD BE GRATEFUL FOR COMMENTS AND/OR GUIDANCE FROM
DEPARTMENT OR EMBASSY MOSCOW.

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